

Summary of Watershed-Based Mitigation Subcommittee Meeting

March 16, 2004, 10:00 AM - 2:30 PM

Natural Resources Building Training Room (Room 175), Olympia

Meeting began at 10:05

Attendees (note: initials used in discussion to indicate speaker):

- Dept. of Ecology: Annie Szvetecz (AS)
- Dept. of Fish and Wildlife: Peter Birch (PB) (co-chair), Bob Zeigler (BZ), Margen Carlson (MC), John Carleton (JC)
- Dept. of Transportation: Peter Downey (PD), Tim Hilliard (TH), Ed Molash (EM)
- Governor's Salmon Recovery Office: Phil Miller (PM)
- Northwest Indian Fisheries Commission: Darrel Phare (DP)
- Applied Hydrology NW: Rick Anderson (RA)
- Bryan Flett: Upper Columbia United Tribes (BF), by phone
- Association of Washington Cities: Ashley Probart (AP)

Note: I have used WS for "watershed."

Update (Peter Birch):

Dick Gersib is in Washington DC for a conference, won't be at the meeting.

A request was made that we discuss TPEAC pilot projects at this or a later meeting.

TPEAC update (Peter Downey):

TPEAC heard a presentation from a wetlands bank speculator. Tim Smith discussed an overall WS mitigation coordination effort which comes from the Governor's office. There was a presentation on the Walla Walla WS project. Peter reported that the WS Subcommittee is in good repute with TPEAC, the legislature, and the Governor's office. There was discussion of the I-5 / Rush Road project and the problems associated with it. A possibility of a WS approach being applied there was discussed. Peter also reported that he will no longer be in the role of TPEAC coordinator as of the end of June. Peter mentioned a project he is working on to develop a short paper on WS-based mitigation for the layperson.

Report on next steps for the integrated mitigation guidance project (Rick Anderson)

Rick and Bob Wubben met with Transportation Secretary Doug MacDonald. The WS Subcommittee had recommended two pilot projects for their methods, plus the Walla Walla project; Secretary MacDonald agreed with this approach. He suggested using the quarterly meetings between Transportation and Fish and Wildlife as a way to keep lines of communication open. He said they should shift into high gear, pick two more pilots in northwest and southwest regions,

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saying (to paraphrase) “don’t test it, do it.” Rick spoke to folks at the southwest region and plans to talk to the northwest region folks soon. Needs are regional agreement to go forward, and projects that are appropriate, no “fatal flaws.”

(PD) It is very important that we distinguish between this effort and Dick Gersib’s full scale WS characterization system, and his screening tool.

(PM) There is a timing issue; if can’t impact a project, don’t do it! (general agreement)

(RA) For northwest region SR-539, in Whatcom County, is being considered. It’s on the fast track. Lummi tribe is aboard. DP asked about the Nooksack tribe. Rick agreed that they need to be involved; he will contact them.

Rick asked how active does the WS subcommittee wish to be in this effort? There will be testing, monitoring issues. Do we want to be involved only at the beginning or do we want to stay involved all the way through?

(PM) The WS subcommittee could be used as a link back to TPEAC, with day-to-day role.

(JC) The local WDFW bios should also be involved.

(RA) There will be three projects for sure by the next WS subcommittee meeting. Then we’ll be going to the regions, with all appropriate agencies involved.

(PD) Emphasize importance of tribal involvement. There are a lot of tribes and most areas in the state are in ceded areas or fishing rights areas of several tribes. In Olympic and Northwest regions especially one must always be aware of the tribal role.

(DP) With our work here, it is important to demonstrate to the tribes in such a way that they will be champions of the approach, and will cooperate fully in the future.

(RA) To wrap up, a detailed budget was sent to the Walla Walla folks today, they will be contacting him soon. This is Phase 4.

Update on Phase 3 Report (Rick Anderson):

Rick noted that the Phase 3 report has been distributed in final form. He gave copies to all the folks at the meeting. He thanked the WS subcommittee.

Funding Issues (Phil Miller):

Phil pointed out that “funding issues” wasn’t a very good description of what he wanted to talk about. He wanted to talk about a group pulled together by the Governor’s Office, WDFW, Ecology, and WSDOT to explore using TPEAC concept of watershed-based mitigation in other areas besides WSDOT transportation projects. The legislature commissioned WDFW to prepare a report on this subject in a supplemental budget proviso. The group has no formal name although it

Sidebar discussion on “when does the watershed subcommittee declare victory?”

(PD) There is a lot going on; keep in mind that the work Rick is doing is gravy while Dick Gersib’s work is meat and potatoes...

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is being called the “Mitigation Optimization Group.” There are a variety of funding sources for WS activities - SRFB, the formal 2514 and 2496 processes, other local efforts, etc. This group is exploring the future of integrated WS planning, and asking questions like:

- How do mitigation funds fit in with and relate to integrated WS planning?
- How does funding for WS planning relate to other environmental funds on the table?
- How do we optimize and continue the environmental value of WS efforts?
- How do we optimize the environmental value of mitigation?

There are interesting questions about the basis for determining what funds are on the table, to meet mitigation and watershed objectives. The entire effort is evolving but still in its infancy. There are more questions than answers.

(MC) The group needs to report to the governor and legislature by the end of the year; a draft by the end of summer is likely.

(PM) But how far it will be able to go is still unclear? It will likely relate to and reference the WS subcommittee efforts, discuss how WS planning and mitigation needs can intersect.

(PD) They are also discussing the limits on the use of highway funding under Amendment 18 to the state constitution. Even with a narrow interpretation, the WS approach allows a gain in function by mitigating for impacts while providing added benefit - mitigate for stormwater storage, gain wetlands, habitat, groundwater recharge, etc. So we look to the WS planning groups, asking “what do you need?”

(MC) This might be harder with fish habitat.

(AS) What about unmitigated impacts of transportation facilities already there, can't gas tax be used to address these? Note that new basin flow standards are coming.

(PD) We do retrofit for “past sins” but its expensive - stormwater alone could cost billions if we did whole state, money that we don't have. And often there is limited gain - for example, improving fish passage at a state highway crossing when there is a county road blocking fish passage just upstream.

(AP) Cities have the same point of view - we want to save money on mitigation of current projects; the development community is in the same boat.

Screening Tools Update (Ed Molash):

Some projects risk schedule and budget change due to uncertainties in environmental permitting, variation in wetland costs, stormwater costs etc. The screening tool is intended to identify projects at or before the project definition phase that have a high potential for elevated mitigation costs. It allows early identification of projects where conventional onsite stormwater treatment or wetland / stream mitigation are either not feasible or are not cost effective.

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It should benefit project planners and engineers through early indication of environment issues, and improved staffing/budget allocation, helping to estimate project mitigation costs based on landscape features prior to design.

It should benefit Watershed Program staff by helping to prioritize watershed characterization efforts. It allows WSDOT to learn from past project screening efforts. They plan to run the tool on appropriate “Nickel Projects,” and later automate the screening tool and add it to the environmental work bench. This will help target projects or groups of projects needing watershed-based mitigation.

The benefits include fewer surprises, better cost control, and increased environmental benefits.

The tool works by identifying project limits or buffers, identifying those landscape factors that tend to drive up mitigation costs, developing risk and cost models which are then evaluate against projects with known mitigation cost data.

WSDOT will assess tool viability, run risk and cost models on “Nickel Project” list, and identify upper (high risk/cost) and lower quartile (minimal risk/cost) projects.

The tool is mainly applicable to improvement projects that significantly increase highway footprint, right-of-way, and new impervious area; projects that discharge into smaller waterbodies or wetlands (not flow exempted); and projects that have extensive stream or floodplain impacts.

The tool cannot evaluate human-controlled institutional factors that affect mitigation costs such as bid amounts, addendums, change orders, permit issues, accounting practices, and redesigns.

Input attributes include built-out conditions, shallow groundwater, outwash soils, steep slopes, commercial and industrial zoning, hazardous materials areas, 4(f) restrictions, over-water bridge areas, stream crossings per unit highway length, and wellhead protection areas.

Outputs include a quantified checklist of landscape factors that affect mitigation costs (pre-scoping), mitigation cost risk index, and a stormwater mitigation cost regression equation.

Limitations include a lack of sufficient data on wetland mitigation costs, inconsistent accounting methods, lack of fine-scale land value data, and the fact that no projects in highly urbanized built-out areas were evaluated for the costs study.

The screening tool is showing promise – mitigation cost estimation is an ongoing need. It is still in development and testing stages and will have the greatest value early in planning process. WSDOT hopes it will direct watershed characterization where it is needed most.

(PB) Does where the project is in the watershed impact the costs?

Next Meeting:

Next subcommittee meeting is Tuesday, June 15th, location TBA.

Meeting adjourned 3:00 PM